

**CITY GOVERNMENT  
OFFICIAL PROCEEDINGS OF CITY COUNCIL  
SAVANNAH, GEORGIA  
MAY 2, 2013**

The regular meeting of Council was held this date at 2:00 P.M. in the Council Chambers of City Hall. The Invocation was given by Pastor Joseph E. Baker of Townsley Chapel AME Church, followed by the Pledge of Allegiance to the Flag. Upon motion of Alderman Osborne, seconded by Alderman Bell and unanimously carried the summary/final minutes of the City Council work session/City Manager's briefing of April 18, 2013 and the City Council summary/final minutes of April 18, 2013 were approved.

Upon motion of Alderman Johnson, seconded by Alderman Shabazz, unanimous approval was given for the Mayor to sign an affidavit and resolution for an Executive Session held today to discuss litigation and personnel, where no votes were taken. (SEE RESOLUTIONS).

**PRESENT:** Mayor Edna B. Jackson, Presiding  
Mayor Pro-Tem Van R. Johnson, II  
Alderman Tony Thomas, Chairman of Council  
Alderman Mary Osborne, Vice-Chairman of Council  
Aldermen Mary Ellen Sprague, John Hall, Estella Shabazz,  
Carol Bell and Tom Bordeaux

City Manager Stephanie Cutter  
Assistant City Attorneys William W. Shearouse & Lester B. Johnson, III

**ABSENT:** City Attorney W. Brooks Stillwell (out of town)

**PRESENTATIONS**

Alderman Johnson introduced Dr. Charles P. Roberson, Sr. and Peter Doliber, Chairmen of the Savannah-Chatham Youth Master Plan Steering Committee, who appeared to announce the Savannah-Chatham Youth Summit on Monday, May 13, 2013 from 5-9 pm at the Savannah Civic Center. Dr. Roberson, Pastor of Kingdom Life Fellowship, introduced some of the team members present today: Pastor Joseph E. Baker, Dr. Freddie Gilyard, Jessica Hahn, LaTrelle Body, Sarah Todd, Jackie Smalls-Bostic and Minister Chauncey Blidge. They have over 45 committee members and have had several successful meetings in planning the summit and developing a youth master plan. He complimented Ms. Carliss Bates of the City PIO Department for her assistance and the leadership they received from Alderman Johnson. He introduced Mrs. Jessica Hahn who serves as the committee's Public Relations representative. Mrs. Hahn stated she works for the Savannah Baptist Center and she outlined the steps for developing the Summit and a Youth Master Plan. This is a joint effort by the City and County government for youth between the ages of 11-20. Parents are encouraged to attend. Presently there are 300 youth registered including 50 parents. There are four

discussion groups: Youth Think, Youth Speak, Youth Report and Youth Plan. They will discuss specific challenges of the youth in our community and the discussions and ideas from the summit will be presented to the City and County at the close of this meeting. There will be a motivational speaker Yvonne Harvey Williams and the adoption of a Strategic Action Plan for Youth. You can still register and they have formed partnerships with youth agencies and churches to get the word out. Participating youth will receive community service hours. At that time, the PSA that is being shown on local television to promote the summit was presented to Council. Mayor Jackson thanked them and expressed her excitement of this summit coming to fruition. Dinner will be served and the contributions were solicited to cover the cost of the summit. Mayor Jackson thanked Carliss Bates and Alderman Johnson. She encouraged those interested to register as they have prepared for a minimum of 500 participants. The deadline to register is Sunday, May 6, 2013.

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Mayor Jackson introduced a young man she met with several weeks ago who had expressed a desire to his parents to meet the Mayor. Scott Husick is present today. She spent over an hour with Scott who knew a lot about the City government. They toured the City Hall and Council chambers. She asked that the Council members stand and give Scott a hand.

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Mayor Jackson called forward Savannah Public Information Director Bret Bell and Saving Lives in Chatham County Director Robert Trenkamp, to provide an update on the Savannah CPR Initiative, whose goal is to train 6,000 Savannahians in life-saving Hands-Only CPR. Mr. Bell introduced Mr. Trenkamp. He stated that for several years the City has been a part of this initiative and has received several sponsoring grants. A campaign was started to train 1,000 in CPR and those 1,000 would then train 5,000. With the support of Alderman Osborne, they are just about complete. They partnered with Mr. Trenkamp who organized the training sessions and the classes. Mr. Trenkamp will be leaving for the summer, but he is here today to be recognized for his service. Mr. Trenkamp said this could not have happened without the help of Bret Bell, his staff and Mayor Jackson. 1,000 people will receive this kit on adult CPR training. Phase 1 is complete with the 1,000 and the second phase is for them to train 5,000 people. The list of trainers so far is 13 and they are competing to advance this number. Mayor Jackson said the success of this campaign has already reached Mayor Bloomberg's office and she was in New York and announced its success. She presented Mr. Trenkamp with a picture of City Hall in thanksgiving for his work on this project. She also thanked Alderman Osborne and the PIO staff. Mr. Bell said there were five communities that received the grant and Savannah was the smallest and the first to reach its goal.

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Mayor Jackson called forward Chief Middleton of the Savannah Fire Department and his staff to introduce a resolution recognizing slaves and free men of color firefighters in the City of Savannah and the celebration of the 50<sup>th</sup> anniversary of Savannah Fire Department Re-integration Day, May 1, 1963 to May 1, 2013. Chief Middleton said Savannah is a City of many firsts as we have fire services dating back to 1733. Around 1824 City Council and the State of Georgia enacted an ordinance to allow free men of color and slaves to serve as firefighters. The firefighters were then divided into fire companies and there was a clear distinction between the white and colored

companies. The free men were paid around \$12.50 to train and fight fires. Around 1988 there is no record of the City having paid black firefighters. In 1963, there was a re-integration of the fire department as courageous black men came forward. The recruitment was to keep them away from the department, so these men had to endure a lot to be selected and continue to serve. Six African Americans were chosen and they were: Purdy Bowers, Theodore Rivers, Lewis Oliver, Porter Screen, Cordell Heath, and Warnell Robinson. The only two survivors are Mr. Bowers and Mr. Oliver and they are here today along with family members of the original six. Mayor Jackson came forward and read the resolution and presented a copy to Mr. Bowers and Mr. Oliver. Alderman Johnson moved for adoption of the resolution and it was seconded by Alderman Thomas and unanimously carried. Alderman Johnson and Mayor Jackson recognized the retired firefighters present and former Chief Paul Taylor who served as the first African American Chief of the Savannah Fire Department. Mayor Jackson then commended Chief Middleton and all of the men and women of the Savannah Fire Department. (SEE RESOLUTIONS)

## **LEGISLATIVE REPORTS**

As advertised, the following alcoholic license petitions were heard. No one appeared in objection to the issuance of the licenses and upon motion of Alderman Johnson, seconded by Alderman Thomas, and unanimously carried, the City Manager's recommendations were approved:

### **ALCOHOLIC BEVERAGE LICENSE HEARINGS**

**As advertised hearing was held on a petition of Vinay Patel for Indore Enterprises, Inc. t/a Montgomery Beverage**, requesting a liquor, beer and wine (package) license at 1825 Montgomery Street, which had a 2012 liquor, beer and wine (package) license and is located between Kline and 35<sup>th</sup> Streets in District 1. (New ownership) Recommend authorizing the City Attorney to notify Vinay Patel to appear at the May 30, 2013 Council meeting to show cause why the application for a liquor, beer and wine (package) license should not be denied due to prior incidents at the location, the revocation of the previous license at the location, continuing concerns about criminal and nuisance activity in the neighborhood, and the number of licenses in the trading area. Alderman Johnson moved for approval of the City Manager's request for a show cause hearing. This was seconded by Alderman Sprague and unanimously carried.

**As advertised hearing was held on a petition of Corine Collins for Flajae's, LLC t/a Flajae's II Sport Bar**, requesting to change its classification from bar/lounge to restaurant adding Sunday sales to existing the liquor, beer and wine (drink) license at 1721 Waters Avenue, which is located between E. 34<sup>th</sup> Street and E. 33<sup>rd</sup> Streets in District 2. (Existing owner/change of classification) The City Manager recommended approval.

Alderman Osborne stated that as this facility is in her district she wanted to comment that they have a wonderful room that is very suitable for a restaurant. Ms. Corine Collins was asked to come up and speak, but Ms. Sherita Boyd, Manager of Flajae's II Sports Bar spoke on behalf of Ms. Collins. Ms. Boyd is responsible for managing, overseeing operations and ensuring that the business complies with the City's ordinance, rules and regulations. They currently have an alcohol license and have been in operation for one year. They also have a convenience store on the west side of town in Alderman Johnson's district, and that location has not had any type of nuisance problems in

three years. They do not allow underage people in their building and tend to stray away from young people under 25 years of age as they lean toward a more mature crowd. They also abide by the law and require proper identification at the door. They have great patrons who want to come and watch their favorite sports team along with enjoying an excellent meal from their expanding menu. Since they are a sports bar, they want the ability to open on Sundays and prove to Council that they did not make a bad decision.

Alderman Bordeaux asked Ms. Boyd the whereabouts of Ms. Collins, what her position was and how long she had been in that role. Ms. Boyd stated that Ms. Collins was just released from the hospital and wasn't feeling well enough to attend the Council meeting. She serves as the manager which is also listed on the alcohol license. She has been with the business for four years. He asked if she and Ms. Collins understood the English language and from conversations with Ms. Collins, did she feel she also understood the responsibilities connected with running a bar/lounge/restaurant that serves on Sundays. Ms. Boyd responded that she and Ms. Collins understand English. Ms. Collins has great management skills. They interact daily and Ms. Collins is very much aware of the requirements of operating this business. Alderman Bordeaux and Mayor Jackson thanked Ms. Boyd for her remarks. Upon a motion from Alderman Osborne and seconded by Alderman Bell the hearing was closed. Upon a motion from Alderman Osborne, seconded by Alderman Bell and carried, the recommendation was unanimously approved.

**As advertised hearing was held on a petition of Amy Lane for Parker, Inc. t/a Parker's No. 13,** requesting to transfer a beer and wine (package) license from Gregory Parker at 2004 Beech Street, which has a 2013 beer and wine (package) license and is located between E. President and Hawthorne Streets in District 3. (New management) Recommend approval.

**As advertised hearing was held on a petition of Amy Lane for Parker, Inc. t/a Parker's No. 14,** requesting to transfer a beer and wine (package) license from Gregory Parker at 201A E. Montgomery Cross Road, which has a 2013 beer and wine (package) license and is located between Travis Street and Seneca Road in District 4. (New management) Recommend approval.

**As advertised hearing was held on a petition of Amy Lane for Parker, Inc. t/a Parker's No. 19,** requesting to transfer a beer and wine (package) license with wine tasting from Gregory Parker at 222 Drayton Street, which has a 2013 beer and wine (package) license with wine tasting and is located between E. McDonough and E. Harris Streets in District 1. (New management) Recommend approval.

**As advertised hearing was held on a petition of Amy Lane for Parker, Inc. t/a Parker's No. 21,** requesting to transfer a beer and wine (package) license from Gregory Parker at 1976 E. Victory Drive, which has a 2013 beer and wine (package) license and is located between Wallin Street and Harry S. Thurman Parkway in District 2. (New management) Recommend approval.

**As advertised hearing was held on a petition of Amy Lane for Parker, Inc. t/a Parker's No. 22,** requesting to transfer a beer and wine (package) license from Gregory Parker at 325 Martin Luther King, Jr. Boulevard, which has a 2013 beer and wine (package) license and is located between W. Harris and W. Charlton Streets in District 1. (New management) Recommend approval.

**As advertised hearing was held on a petition of Amy Lane for Parker, Inc. t/a Parker's No.29,** requesting to transfer a beer and wine (package) license from Gregory Parker at 10525 Abercorn Street, which has a 2013 beer and wine (package) license and is located between Wilshire Boulevard and W. Magnolia Avenue in District 6. (New management) Recommend approval.

**As advertised hearing was held on a petition of Amy Lane for Parker, Inc. t/a Parker's No. 35,** requesting to transfer a beer and wine (package) license from Gregory Parker at 5300 Skidaway Road, which has a 2013 beer and wine (package) license and is located between Germain Drive and DeRenne Avenue in District 3. (New management) Recommend approval.

Ms. Amy Lane and Mr. Greg Parker came forward to answer questions from Council. Ms. Lane stated she is the Chief Operating Officer for Parker, Inc. and has worked for them since 1983. Alderman Sprague stated about a year ago she helped clean up Hayners Creek which is right behind the Parker's on Montgomery Crossroads and noticed an exorbitant amount of styrofoam cups in the creek. She asked Mr. Parker if going forward could they consider not using styrofoam or provide additional trash receptacles to encourage people to use them instead of tossing the cups over the bridge and into the creek. Mr. Parker acknowledged the request and Ms. Lane stated they would look into it. Alderman Thomas said he agreed with Alderman Sprague but there are also plastic bottles and other items floating in the creek and many use it that have nothing to do with the Parker establishment. Alderman Johnson said two of these locations are in his district, they are a win-win for that area and he has no objections to these licenses. Alderman Osborne stated only one of the locations is in her district and she welcomes others in District 2. Alderman Hall also agreed that he is pleased with the operation of all of Mr. Parker's establishments. Upon motion from Alderman Thomas, seconded by Alderman Johnson and carried, the City Manager's recommendations were unanimously approved.

### **ZONING HEARINGS**

**Continued from the meeting of April 4, 2013 was a petition of Aurash Kheradmandi, Agent for Abraxas Development LLC, Owner (12-001981),** requesting to rezone 300 Drayton Street from RIP-A (Residential-Medium Density) to RIP-C (Residential-Medium Density). The Metropolitan Planning Commission (MPC) recommends approval. The property contains an existing commercial building which houses office uses on the second and third levels. All the adjacent properties within the same block house either office or retail uses. The existing R-I-P-A zoning classification and the proposed R-I-P-C classification allow a mix of residential and nonresidential uses as is typical in a downtown area. The RIP-C zoning district allows for restaurants, hotels and bars. The R-I-P-C zoning classification exists immediately west and south of the subject property and uses similar to the applicant's proposed use currently operate within those districts. Since its continuance on March 7, 2013, Mr. Kheradmandi has worked with City staff to identify parking that would be required for the restaurant use. While the parking plan is not yet complete, on-street parking studies have been conducted indicating a 65% occupancy rate during the daytime and a 70% occupancy rate during the evening. Additionally, he will lease 23 off-street spaces immediately adjacent to his restaurant for evening use. However, Mr. Kheradmandi has not been able to satisfactorily address the daytime parking issue. Before a Certificate of Occupancy is issued, all zoning requirements, including parking, must be met. Any variance will have to be brought before the Zoning Board of Appeals and approved prior to issuance of a Certificate of Occupancy. (Continued from April 4, 2013.) Recommend approval. Upon motion of Alderman Johnson, seconded by Alderman Sprague and



unanimously carried the City Manager's recommendation was approved to continue this hearing until May 16, 2013.

**Continued from the meeting of April 18, 2013 was a petition of Russell Steven Varnadoe (13-000957-ZA)**, requesting a text amendment to Section 8-3025(b) the B & I Use Schedule of the City of Savannah Zoning Ordinance to amend use number seven (7) Hotel or Apartment Hotel. MPC recommends approval of the petitioner's requested amendment. The B-C zoning district is designed to accommodate large scale commercial uses. Use number seven (7) of the Use Table, Hotel or Apartment Hotel, although having been allowed by practice is technically prohibited in the Zoning Ordinance in the B-C district. The most likely scenario by which this use has been prohibited is simply a long standing oversight. The use is appropriate in the district and should be allowed by right therein. Further, the proposed text amendment would bring a number of uses into conformity. **Recommend continuing the hearing to June 27, 2013.** Upon motion of Alderman Johnson, seconded by Alderman Sprague and unanimously carried the City Manager's recommendation was approved to continue this hearing until June 27, 2013.

## **ORDINANCES**

### **Second Readings**

Ordinance read for the first time in Council, April 18, 2013 read a second time May 2, 2013, placed upon its passage, adopted and approved upon motion of Alderman Johnson, seconded by Alderman Bell it was approved with Mayor Jackson, Aldermen Johnson, Thomas, Bell, Shabazz and Hall voting in favor. Aldermen Bordeaux and Sprague voted against the motion. Alderman Osborne was out of the room.

### **AN ORDINANCE** **To Be Entitled**

AN ORDINANCE TO AMEND SECTION 8-3112(c)(5)e.9 PERTAINING TO RESTRICTED SIGNS-REMOVAL OF NONCONFORMING BILLBOARDS; TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HERewith AND FOR OTHER PURPOSES

**BE IT ORDAINED** by the Mayor and Aldermen of the City of Savannah, Georgia, in regular meeting of Council assembled and pursuant to lawful authority thereof:

**SECTION 1:** That Section 8-3112(c)(5)e.9 of the Code of the City of Savannah, Georgia (2003), hereafter referenced as "Code," be amended as follows:

### **REPEAL**

Section 8-3112(c)(5)e.9. in its entirety

### **ENACT**

9. One new digital billboard face will be permitted within the corporate limits of the City of Savannah when a number of existing nonconforming billboards within the corporate limits of the

City of Savannah that correspond to a ratio is removed, **unless provided herein**. The ratio shall be two and one-half square feet of existing billboard face space for every one square foot of electronic/digital billboard face to be erected. Nonconformity shall be determined by applicable sections of the zoning ordinance.

The required nonconforming billboard area shall first be removed within the same aldermanic district in which the digital billboard is located. If no nonconforming billboard area exists with such district, the removal of nonconforming billboard area shall occur on a rotating basis beginning with aldermanic district 1. For example, if the removal of nonconforming billboard area equals two billboard faces and no nonconforming billboard area existed in the same district, the first billboard would be removed from district 1 and the second would be removed from district 2. Upon the approval of another digital billboard in a district where no nonconforming billboard area existed, nonconforming billboard area would be removed from district 3, and so on. Final approval for new billboard faces shall not be granted until the number of nonconforming billboard faces is removed and certified by the city manager. The petitioner shall be required to meet all other requirements of the City Code unless otherwise permitted herein.

**Should an applicant for a digital billboard not own or operate any existing nonconforming billboards within the corporate limits of the City of Savannah, such applicant shall be allowed to convert an existing conforming billboard to a digital billboard provided the applicant meets all other requirements and development standards of this ordinance. Such applicant shall be required, as a prerequisite to the issuance of a permit, to submit an affidavit that certifies that the applicant does not have any interest in any existing nonconforming billboards within the corporate limits of the City. The affidavit shall be submitted to the Zoning Administrator with a copy to the City Manager and the City Attorney.**

SECTION 2: That the requirement of Section 8-3182(f) (2) of said Code and the law in such cases made and provided has been satisfied. That an opportunity for a public hearing was afforded anyone having an interest or property right which may have been affected by this zoning amendment, said notice being published in the Savannah Morning News , on the 7 day of February, 2013, a copy of said notice being attached hereto and made a part hereof.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED: MAY 2, 2013.

MPC FILE NO.: 13-000130-ZA

Use Conditions Related to Corner Lots (Z-120404-62503-2). A text amendment to the Savannah Zoning Ordinance to amend Article K, Section 8-3214 Traditional Neighborhood – 2 (TN-2) to clarify the use conditions related to corner lots. Article K, Section 8-3214 of the Zoning Ordinance presents a listing of allowable uses in the TN-2 District. Although the TN-2 district is considered to be primarily a residential classification, limited commercial uses are allowed by right on corner lots. Additionally, part f of that section states generally that the owner of a building located on a corner lot, upon meeting certain criteria, shall be permitted to establish any use allowed in the TC-1 (Traditional Commercial) district subject to conformance with development standards of the TN-2

district. The proposed text amendment would alter the format of the section to more accurately follow the format in place prior to the 2007 amendment and would restore the specific site characteristics which were inadvertently omitted from the previous amendment. The changes, though slight in number, will clarify the intent of the district and the provisions which may be used to establish TC-1 uses on an appropriate corner lot. (The zoning hearing was approved September 20, 2012.) Recommend approval.

Alderman Sprague asked Mr. Lotson to give some examples of these types of corner lots since as he stated these zones don't occur often. He responded that there is actually a bit of TN-2 zoning in mid-city; however, few lots would meet all these requirements. As mentioned at the last meeting, the lot would need to meet the four street location requirements, the development standards of the TN-2 neighborhood district, need to be 5,000 square feet or larger, and have an existing non-residential structure on them. Alderman Sprague said they cannot go from residential to commercial based on this zone and Mr. Lotson said that is correct. She asked what were the changes and if they were adding more requirements or taking them away? Mr. Lotson stated that they are adding more and the two requirements are that the corner lot be 5,000 square feet or larger on an existing purposeful structure. The original intention of the ordinance was for this language to be in there, but it was omitted so now they want to add it. Alderman Bell asked for clarification on what is permitted under the change that is not permitted now for commercial uses on corner lots in residential areas. Mr. Lotson stated that no additional uses would be allowed with this change.

Ordinance read for the first time in Council, April 18, 2013 read a second time May 2, 2013, placed upon its passage, adopted and approved upon motion of Alderman Johnson, seconded by Alderman Shabazz and unanimously carried.

AN ORDINANCE  
To Be Entitled

AN ORDINANCE TO AMEND ARTICLE K, MID-CITY DISTRICT, SECTION 8-3214 OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003) PERTAINING TO PRINCIPAL USES IN THE TN-2 ZONING DISTRICT-CORNER LOTS; TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND, FOR OTHER PURPOSES.

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in a regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Section 8-3214 of the Code of the City of Savannah, Georgia (2003) hereinafter referenced as "Code" be amended as follows:

REPEAL

- f. Lots of record existing at the time of enactment of this provision, 20<sup>th</sup> day of November, 2007, as shown on the map in Appendix A, shall be utilized to determine the extent to which the corner lot provision of this section shall be allowed. Nothing in this provision shall be construed as to prohibit the recombination of parcels. Existing TN-2 zoned corner lots, located on the following arterial streets, Barnard Street, Bull Street, Abercorn Street, and Habersham Street, shall be



allowed to establish any use allowed in the TC-1 District, subject to the development standards of the TN-2 District except as modified herein: street yard setback – average street yard setback for all structures on the block face; rear yard setback – 10 feet minimum; side yard setback – 10 feet minimum. Recombination of parcels could not be used as the basis for the expansion of commercial usage beyond a total of 60 feet distance measured from the property line beginning at the corner. Provided further that the provisions of Section 8-3023(d) shall not apply to recombined parcels.

ENACT

- f. A building with all of the following characteristics shall be permitted to establish any use allowed in the TC-1 District, subject to the development standards of the TN-2 District except as modified herein: street yard setback – average street yard setback for all structures on the block face; rear yard setback – 10 feet minimum; side yard setback – 10 feet minimum. The specific characteristics of the site must include:
- i. Located on a corner lot in the TN-2 District over 5,000 square feet in area;
  - ii. Originally constructed primarily for non-residential purposes; and
  - iii. Located abutting one of the following arterial streets:
    - (1) Barnard Street;
    - (2) Bull Street;
    - (3) Abercorn Street;
    - (4) Habersham Street.
  - iv. Lots of record existing at the time of enactment of this provision, 20<sup>th</sup> day of November, 2007, as shown on the map in Appendix A, shall be utilized to determine the extent to which the corner lot provision of this section shall be allowed. Nothing in this provision shall be construed as to prohibit the recombination of parcels. Recombination of parcels could not be used as the basis for the expansion of commercial usage beyond a total of 60 feet distance measured from the property line beginning at the corner. Provided further that the provisions of Section 8-3023(d) shall not apply to recombined parcels.

SECTION 2: That the requirement of Section 8-3182(f) (2) of said Code and the law in such cases made and provided has been satisfied. That an opportunity for a public hearing was afforded anyone having an interest or property right which may have been affected by this zoning amendment, said notice being published in the Savannah Morning News on the 31 day of August 2012, a copy of said notice being attached hereto and made a part hereof.

SECTION 3: Upon the effective date of the ordinance, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED: MAY 2, 2013.  
MPC FILE NO.: Z-120404-62503-2

## **RESOLUTIONS**

### **A RESOLUTION OF THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH AUTHORIZING THE MAYOR TO SIGN AFFIDAVIT OF EXECUTIVE SESSION**

BE IT RESOLVED by the Mayor and Aldermen of the City of Savannah as follows:

At the meeting held on the 2nd day of May, 2013 the Council entered into a closed session for the purpose of discussing litigation and personnel. At the close of the discussions upon this subject, the Council reentered into open session and herewith takes the following action in open session:

1. The actions of Council and the discussions of the same regarding the matter set forth for the closed session purposes are hereby ratified;
2. Each member of this body does hereby confirms that to the best of his or her knowledge, the subject matter of the closed session was devoted to matters within the specific relevant exception(s) as set forth above;
3. The presiding officer is hereby authorized and directed to execute an affidavit, with full support of the Council in order to comply with O.C.G.A. §50-14-4(b); 17
4. The affidavit shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute.

ADOPTED AND APPROVED THIS 2ND DAY OF MAY 2013 UPON MOTION OF ALDERMAN JOHNSON, SECONDED BY ALDERMAN SHABAZZ AND UNANIMOUSLY CARRIED.

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Mercy Housing's application is also being supported by CHSA, Inc. and CHSA Development, Inc. Savannah Gardens Phase-V will cost approximately \$10.6 million to develop and will contain 76 affordable apartments when complete. This resolution describes City of Savannah support for this important tax credit application and authorizes CHSA, Inc. to make Mercy Housing a \$500,000 loan from Community Development Block Grant (CDBG) funds. The CHSA, Inc. Loan Committee and Board of Directors have approved this loan contingent upon City Council approval. This financial commitment by the City helps make Mercy Housing's tax credit application competitive and helps provide financing necessary to make the project cash flow. This is the final tax credit application anticipated for Savannah Gardens and the award of tax credits, as has been the case with previous tax credit awards, is essential to keeping this important City supported housing and neighborhood redevelopment project moving forward and successful. Recommend approval.

### **A RESOLUTION OF SUPPORT FOR THE 2013 SAVANNAH GARDENS PHASE-V LOW INCOME HOUSING TAX CREDIT APPLICATION THAT IS BEING SUBMITTED TO THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) BY MERCY HOUSING SOUTHEAST, INC. (MERCY HOUSING).**

## RESOLUTION OF SUPPORT

**WHEREAS**, the City of Savannah has identified the development and retention of affordable rental housing for Savannah residents as a priority in the City's 2013-2017 Housing and Community Development Plan; and

**WHEREAS**, the City of Savannah adopted on March 26, 2009 the Savannah Gardens Neighborhood Redevelopment Plan to comply with Title 36, Chapter 61 of the Code of Georgia, as amended, known as the Urban Redevelopment Law, in support of the redevelopment of the Savannah Gardens neighborhood; and

**WHEREAS**, the City of Savannah adopted on November 5, 2009 the Pennsylvania Avenue/Savannah Gardens Enterprise Zone to comply with Title 36, Chapter 81 of the Code of Georgia, as amended, known as the Urban Redevelopment Law, to provide certain exemptions or advantages to qualifying businesses and residential developments within the Enterprise Zone; and

**WHEREAS**, the City of Savannah fully supports the development of Savannah Gardens Phase V, a proposed complex containing 76 units of housing along with appropriate recreational facilities and amenities to be generally located at 202 Crescent Drive and specifically located in a portion of Pod MF-2 designated in the Master Plan for Savannah Gardens; and

**WHEREAS**, Savannah Gardens Phase V will provide the fourth and final phase of multi-family housing designated for families in the newly designed, master planned community and will offer quality new construction with 59 units housing families earning 60% of the Area Median Income or less and 17 units for families of any income; and

**WHEREAS**, Mercy Housing SouthEast, Inc., as developer, has the means and interest to pursue the development of this property; and

**WHEREAS**, the developer intends to submit an application for Low Income Housing Tax Credits to the Georgia Department of Community Affairs (DCA) for the project, which has a total development cost of approximately \$10.6 million;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Aldermen of the City of Savannah declare their full support for the development of Savannah Gardens Phase V as proposed by Mercy Housing SouthEast, which will include 76 units of affordable family housing in the Savannah Gardens Neighborhood. The Mayor and Aldermen further support the application for Low Income Housing Tax Credits to DCA and authorize a \$500,000 CDBG loan from Community Housing Development Agency, Inc. (CHSA) to the project, subject to all regulatory requirements.

ADOPTED THIS 2<sup>ND</sup> DAY OF MAY, 2013 UPON MOTION OF ALDERMAN HALL, SECONDED BY ALDERMAN SHABAZZ AND UNANIMOUSLY CARRIED.

Alderman Johnson commented on how important these grant funds are in hard economic times, as often they make the difference between someone having the means to survive for an additional two weeks or getting evicted from their home. The Salvation Army has been an excellent partner to the City especially in terms of vetting out need and assignment of resources. He also stated that the City

must be able to articulate to friends at the federal level the need these funds play here in Savannah every day. Alderman Bordeaux asked if these were federal funds and no City funds are used. The City Manager stated yes they are all federally funded.

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**A RESOLUTION AUTHORIZING CHSA, INC. TO MAKE MERCY HOUSING SOUTHEAST, INC. (MERCY HOUSING) A \$760,000 SHORT TERM LOAN THAT IT WILL USE TO IMMEDIATELY ACQUIRE SAVANNAH GARDENS PHASE-V PROPERTY FROM CHSA DEVELOPMENT, INC. CHSA DEVELOPMENT, INC., IN TURN, WILL USE THIS PAYMENT TO SUBSTANTIALLY PAY DOWN THE REMAINING BALANCE OF THE REGIONS BANK LOAN THAT WAS USED TO INITIALLY PURCHASE THIS PROPERTY.**

**WHEREAS**, Community Housing Services Agency, Inc. (CHSA) is a non-profit organization established to provide affordable housing financing to qualified borrowers and developments; and

**WHEREAS**, Mercy Housing SouthEast, Inc. (Mercy Housing) is applying to the State of Georgia Department of Community Affairs (DCA) for 2013 Low Income Housing Tax Credits (LIHTC) that will enable it to develop 76 new affordable rental apartments, 59 of which will be reserved for low-income households, on the property known as Savannah Gardens Phase V; and

**WHEREAS**, CHSA Development, Inc., master developer of Savannah Gardens, requested that Mercy Housing purchase Savannah Gardens Phase V property in advance of the award of 2013 Low Income Housing Tax Credits (LIHTC) to Mercy Housing and prior to the November 2013 maturity date of the Regions Bank Note securing the Savannah Gardens Phase V property; and

**WHEREAS**, CHSA Development, Inc. will use the \$760,000 received from Mercy Housing to retire Savannah Gardens Phase V debt associated with the expiring Regions Bank note; and

**WHEREAS**, the CHSA Board of Directors has approved a \$760,000 CDBG loan to Mercy Housing for the acquisition of Savannah Gardens Phase V property contingent upon the approval of the Mayor and Aldermen of the City of Savannah; and

**WHEREAS**, this loan shall have the following terms:

\$760,000 CDBG Property Acquisition Loan  
0% Interest (15 months with no monthly payments)

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Aldermen of the City of Savannah authorize CHSA to receive \$547,457 CDBG funds from the City of Savannah that it will combine with \$212,543 of its CDBG funds to loan Mercy Housing \$760,000 CDBG funds as described herein to acquire Savannah Gardens Phase V property and in support of Mercy Housing's quest to be awarded 2013 LIHTCs to develop 76 affordable rental housing apartments, 59 of which will be reserved for low-income households, on the Savannah Gardens Phase V property.

ADOPTED THIS 2<sup>ND</sup> DAY OF MAY, 2013 UPON MOTION OF ALDERMAN HALL, SECONDED BY ALDERMAN SHABAZZ AND UNANIMOUSLY CARRIED.

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**RESOLUTION AUTHORIZING COMMUNITY HOUSING SERVICES AGENCY, INC. TO LOAN \$500,000 IN CDBG FUNDS TO MERCY HOUSING SOUTHEAST, INC. IN SUPPORT OF ITS 2013 LOW INCOME HOUSING TAX CREDIT APPLICATION AND THE DEVELOPMENT OF 76 UNITS OF FAMILY HOUSING IN SAVANNAH GARDENS PHASE V.**

**WHEREAS**, Community Housing Services Agency, Inc. (CHSA) is a non-profit organization established to provide affordable housing financing to qualified borrowers and developments; and

**WHEREAS**, Mercy Housing SouthEast, Inc. (Mercy Housing) requested that CHSA loan it \$500,000 CDBG funds in support of its 2013 Low Income Housing Tax Credit (LIHTC) application and the development of 76 rental housing units, 59 of which are reserved for low-income households, in Savannah Gardens Phase V; and

**WHEREAS**, Mercy Housing estimates the development costs for Savannah Gardens Phase V will be approximately \$10.6 million; and

**WHEREAS**, LIHTC funding is essential to the development of Savannah Gardens Phase V; and

**WHEREAS**, LIHTC financing awards are based upon a very competitive point scoring system; and

**WHEREAS**, a \$500,000 CDBG loan from CHSA will enable Mercy Housing's LIHTC application to receive a valuable point in the LIHTC scoring system and will help Mercy Housing develop 76 units at Savannah Gardens Phase V if awarded LIHTC; and

**WHEREAS**, the CHSA Board of Directors and the Mayor and Aldermen have previously approved Mercy Housing to receive a \$760,000 CDBG property acquisition loan for Savannah Gardens Phase V that will be repaid after the award of tax credits and prior to the closing of Phase-V development financing; and

**WHEREAS**, the CHSA Board of Directors has approved that \$500,000 of this \$760,000 CDBG property acquisition loan to Mercy Housing will remain in the project as permanent financing as part of its development financing contingent upon the approval of the Mayor and Aldermen of the City of Savannah; and

**WHEREAS**, this loan shall have the following terms:

\$500,000 CDBG Loan

0% Interest Construction Loan (24 months with no monthly payments)

3% Interest Permanent Loan (paid from Cash Flow within DCA requirements)

1.5% Loan Servicing Fee (paid at loan closing)

Subordinate to primary financing



**WHEREAS**, this loan shall be made only if Mercy Housing is successful in its 2013 LIHTC application for Savannah Gardens Phase V;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Aldermen of the City of Savannah authorize CHSA to loan Mercy Housing \$500,000 CDBG funds as described herein in support of Mercy Housing's LIHTC Savannah Gardens Phase V application to construct 76 rental units, 59 of which are reserved for low-income households, in Savannah, Chatham County, Georgia.

ADOPTED THIS 2<sup>ND</sup> DAY OF MAY, 2013 UPON MOTION OF ALDERMAN HALL, SECONDED BY ALDERMAN SHABAZZ AND UNANIMOUSLY CARRIED.

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**A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT BETWEEN THE CITY OF SAVANNAH AND THE SALVATION ARMY FOR FEDERAL ASSISTANCE, IN THE AMOUNT OF \$176,681 TO IMPLEMENT THE HOMELESS PREVENTION PROJECT KNOWN AS THE "CENTER FOR HOPE FINANCIAL ASSISTANCE PROGRAM.**

#### **A RESOLUTION**

**WHEREAS** the City of Savannah received \$176,681 from the U.S. Department of Housing and Urban Development in Emergency Solutions Grant (ESG) program funds to implement Homeless Prevention programs;

**WHEREAS** the Salvation Army of Savannah is a nonprofit organization who proposes to provide financial assistance including rent and utility payments, security deposits, moving costs, and case management to persons at-risk of homelessness;

**WHEREAS** it is necessary for the City Council to authorize an agreement between City of Savannah and the Salvation Army for federal assistance, in the amount of \$176,681 to implement the homeless prevention project known as the Center for Hope Financial Assistance Program.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Aldermen of the City of Savannah, Georgia, hereby resolve and authorize Stephanie S. Cutter, City Manager, to execute the grant agreement between the City of Savannah and the Salvation Army of Savannah for the delivery of financial assistance and case management to persons at-risk of homelessness.

ADOPTED THIS 2<sup>ND</sup> DAY OF MAY, 2013 UPON MOTION OF ALDERMAN HALL, SECONDED BY ALDERMAN SHABAZZ AND UNANIMOUSLY CARRIED.

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**A RESOLUTION RECOGNIZING SLAVE AND FIRST FREE MEN OF COLOR FIREFIGHTERS IN THE CITY OF SAVANNAH AND THE 50<sup>TH</sup> ANNIVERSARY OF SAVANNAH FIRE DEPARTMENT RE-INTEGRATION DAY, MAY 1, 1963 TO MAY 1, 2013.**

**WHEREAS:** In 1824 an act was passed by the General Assembly by which the City of Savannah was invested with the power to appoint twenty-one firemen. They were free men of color, free Negroes and hired slaves who performed the work without pay; and

**WHEREAS:** The ordinance of March 11, 1825, provided that the City Marshal immediately take an account of the colored and Negro firemen between the ages of sixteen and sixty. If any enrolled free man of color or free negro failed to answer an alarm they were subject to a fine in a sum not exceeding ten dollars, or be imprisoned in the common jail for a period not less than five nor more than fifteen days. Free men of color and free Negroes enrolled as firemen were exempt from poll tax; and

**WHEREAS;** In 1826 an ordinance was enacted providing for the enrollment of a greater number of negro slaves and the payment of twelve and one-half cents per hour while engaged in drills or at fires; and

**WHEREAS:** In 1845 the young men of the city began to take an interest in the fire department and on February 19, 1846, Council approved an application from a number of young men for a charter as the Oglethorpe Fire Company of Savannah. The number of members was limited to fifty. At almost every fire, the Young Americas engaged in a fight with someone and on a number of occasions they drove the faithful slaves away from their posts of duty; and

**WHEREAS:** In May of 1850 the Savannah Fire Company adopted resolutions to allow colored firemen to wear uniforms. The Oglethorpe's and Washington's protested against this resolution as degrading to the white firemen and the Council directed the Mayor not to permit it, later, however, Council reconsidered this action and left it to the Savannah Fire Company to do as it wished; and

**WHEREAS:** In 1853 there were more troubles between the Savannah Fire Company and the Oglethorpe Fire Company over the Oglethorpe's mistreatment of the negro firemen at fires. The Council's end of year report showed an utter disorganization of the department. In 1871 the last 3 hand engines controlled by "colored" firefighters were placed out of service and on February 1, 1890 Savannah became a fully paid fire department employing 47 paid full time firefighters and 25 volunteers; and

**WHEREAS:** In 1962 the City of Savannah planned to organize an all African-American fire company following the similar plan that was implemented by Charleston, S.C. This was the result of seven campaign promises by Mayor Malcolm Maclean to the Political Guidance Committee, a Negro group, before the Democratic primary. According to the Savannah Sentinel, a Negro paper, these promises were credited to the re-election of Maclean by getting the Negro vote; and

**WHEREAS:** On May 1, 1963, the first African-American firefighters were employed by the City of Savannah to re-integrate the department. They hired six former students of Savannah State College making Savannah and Atlanta the first two cities in Georgia to appoint Negro fireman. They were: Purdy Bowers, Theodore Rivers, Lewis Oliver, Porter Screen, Cordell Heath, and Warnell Robinson. Chief Oliver stated, "These men had to have more than an education, they had to have clean criminal records, not even a parking ticket, and be upstanding citizens. The two surviving firefighters, Purdy Bowers and Lewis Oliver, continues to share their legacy and we to have the opportunity to share this milestone with them, their family and the family members of the original six; and

**WHEREAS:** In spite of the difficulties and demands of the job they faced, they showed immense courage and determination, which set a shining example for all to see and blazed a trail for others to follow, and

**NOW, THEREFORE, I, Edna B. Jackson,** Mayor of the City of Savannah, on behalf of the Mayor and Aldermen of the City of Savannah do hereby recognize the diverse history of the Savannah Fire Department and the celebration of the 50<sup>th</sup> Anniversary of Re-integration Day on May 1, 2013.

And further acknowledge the sacrifices made by these men and how their sense of purpose led to the modern professional fire department we have today.

ADOPTED THIS 2<sup>ND</sup> DAY OF MAY, 2013 UPON MOTION OF ALDERMAN JOHNSON, SECONDED BY ALDERMAN THOMAS AND UNANIMOUSLY CARRIED.

## **MISCELLANEOUS**

**Bridge Naming Request.** Alderman Tony Thomas has requested that the bridge located on Coffee Bluff Road that crosses a canal between Fire Station No. 10 and Mount Hermon Baptist Church be named the Mary "Bootsie" Johnson Memorial Bridge. In making the request, Alderman Thomas noted that Mrs. Johnson was a lifelong resident of the Coffee Bluff community and a longtime City employee in the Leisure Services Bureau who ran the Crusader's Center. More importantly, she was a crusader for children and worked tirelessly on their behalf. Alderman Thomas also noted that community members and City staff were consulted and all agreed that this would be a befitting memorial. The Public Works and Water Resources departments report that the bridge belongs to the City and we can rename it. If the naming request is approved, the signs can be made in-house. The City Manager recommended approval. Upon motion of Alderman Thomas, seconded by Alderman Osborne the City Manager's recommendation was unanimously approved. Alderman Thomas stated a small ceremony will be planned. He will work with the City Manager and her staff on selecting a date that would allow the Mayor and Alderman to participate.

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Mayor Jackson read the following letter outlining City Manager Stephanie Cutter's terms of employment and compensation package for approval by City Council.

*May 2, 2013*

*Mrs. Stephanie Cutter  
City Manager  
City of Savannah  
P. O. Box 1027  
Savannah, GA 31402*

*Dear Mrs. Cutter:*

*Congratulations! At the City Council meeting, held April 4, 2013, the Mayor and Aldermen of the City of Savannah unanimously voted to appoint you City Manager. We are offering the following compensation plan:*

1. *A salary of \$195,000 retroactive to April 4, 2013.*
2. *Continued use of the City of Savannah vehicle.*
3. *Required to take a minimum of twelve (12) vacation days per year.*
4. *Any lost vacation hours be moved to and accumulated as extra incentive hours.*
5. *Payment of your dues in professional organizations associated with your position as well as payment for professional conferences and municipal organizations at 2012 budgeted level.*
6. *Continued participation in the City's retirement plan.*
7. *Since you will be serving at the pleasure of the Mayor and Alderman, you will be paid a minimum of six months' salary if terminated at their pleasure; however, if removal is sought pursuant to the Charter which provides for a statement of reasons and a public hearing, if desired, then you shall be compensated as provided in the Charter.*

*We look forward to continuing to work with you as the City Manager of the City of Savannah, Georgia.*

*Sincerely,  
Edna Branch Jackson  
Mayor*

Upon motion of Alderman Thomas, seconded by Alderman Shabazz the City Manager's compensation package was unanimously approved.

### **TRAFFIC ENGINEERING REPORTS**

**Intersection of W. Huntingdon and Jefferson Streets – One Way Eastbound.** The owner of the residence on the southeast corner of Jefferson and W. Huntingdon Streets has requested that the City investigate solutions to address concerns about right-angle crashes occurring at the intersection over the past several years. The owner's home has been hit twice, with a near-miss earlier this year.

Traffic Engineering has conducted an in-depth analysis of the intersection and surrounding blocks. Neither traffic volumes nor crash history warranted the installation of a multi-way stop. However, there is inadequate sight distance for drivers traveling westbound, at the intersection of Jefferson Street, to observe southbound traffic. Additionally, the construction of new townhomes on the south side of the street will create a sight distance obstruction for observation of northbound traffic. Also, W. Huntingdon Street (located between Montgomery and Tattnall Streets) is very narrow and has a width of less than 17 feet. Parking is allowed on the south side of the street and is often utilized by residents in the 300 block who do not have access to off-street parking. This however, only leaves nine feet of street width available for two-way traffic. Traffic Engineering recommends that W. Huntingdon Street be established as a one way roadway eastbound, from Montgomery Street to Tattnall Street, in order to remove sight distance concerns and maintain available parking for residents. Recommend approval. Upon motion of Alderman Johnson, seconded by Alderman Hall the City Manager's recommendation was unanimously approved. Ordinance to cover will be drawn up for presentation at the next meeting of Council.

## **BIDS, CONTRACTS AND AGREEMENTS**

**Authorization for LOST April Settlement.** As previously reported to City Council, a new LOST certificate was executed by Chatham County and all cities in the County as part of the resolution of the LOST litigation. The intention of the parties and the plain terms of the new certificate are that the new LOST distribution formula is to be effective for the April 2013 LOST distribution. In order to achieve an April 2013 effective date as intended by the parties, a one-time redistribution of the funds received in the Department of Revenue's ("DOR's") April 2013 LOST distribution must be made in order to effectuate the new formula in April. This is because the DOR cannot implement the new certificate until May, 2013.

In the DOR's April 2013 distribution, which will be based on the old formula, Savannah and Garden City will receive more than they would under the new formula, while Chatham County, Pooler, Port Wentworth, and Thunderbolt will receive less.

The proposed resolution of this issue will require Savannah to pay the excess it receives from DOR in the April distribution to Pooler, Port Wentworth, Thunderbolt and the County, and for Garden City to pay the excess it receives from DOR in the April distribution to the County as indicated in the following table:

The above set of payments would adjust the DOR April distribution, which will be based on the old certificate, to be equivalent to the amount to be distributed under new certificate for April, as intended by the parties. Recommend approval. Upon motion of Alderman Sprague, seconded by Alderman Shabazz the City Manager's recommendation was unanimously approved.

**Savannah Gardens Public Art Project Design.** On August 23, 2012, Council approved Event No. 498 to procure the design, production, and installation of Public Art in the newly constructed Savannah Gardens development from Jerome Meadows of MeadowLark Studio. The site is on a pedestrian plaza owned by the City and specifically designed to accommodate a work of art. The Historic Site and Monument Commission has determined that the public artwork proposed by Mr. Meadows with community involvement meets the standards in the Master Plan and Guidelines for Markers, Monuments, and Public Art. The Commission recommends approval. The proposed design incorporates reclaimed material from the original structures and includes three vertical components, each approximately nine feet tall, two feet wide (at widest point), and five inches thick. The bases will consist of one foot tall circular cast concrete, five foot tall industrial fiberglass fan blades, topped with cut slate chalkboards. Aluminum letters, reclaimed from the signage on the Pennsylvania School will be attached to the fan blades. The attached letters will be chosen so that the letters may be combined to form multiple different words by the reader. The components will be installed on a seven foot diameter mosaic of multi-colored tiles. Lighting will be installed flush with, and integrated within the mosaic, which will illuminate the sculpture at night. The artist will provide a maintenance plan and schedule as part of his contractual obligation. Routine maintenance is estimated at \$1,000 annually. The Public Facilities, Events, and Services Bureau will provide routine maintenance and will request funding for such in its annual budget. Non-routine maintenance and repair work needed as a result of vandalism, storms, etc. will have to be performed by the artist and paid for by the City. Should such expenditures become necessary; staff will determine whether it is financially feasible. This method of maintenance and repair will take the place of establishing a maintenance escrow fund. A bronze plaque with the name of the artwork,



the name of the artist, the date of installation, commissioned by the City of Savannah, and a brief artistic and neighborhood context will be installed. Alderman Hall gave a recommendation that the Mayor and names of Council be added to the plaque. Alderman Thomas asked if these were permanent or changeable pieces of art and was told they were permanent. Upon motion of Alderman Hall, seconded by Alderman Shabazz the City Manager's recommendation was unanimously approved.

**Feiler Park Improvements Phase I and II (PD0801) - Summary Contract Modification No. 1-Bid No. 09.286.** Approval of Summary Contract Modification No. 1 to E&D Contracting Services, Inc. in the amount of \$61,355.21 and a total of 675 additional days in contract time. The original project was for the widening of W. 57<sup>th</sup> Street from Meding Street to Montgomery Landing Apartments, a landscaped median and a reinforced decorative wall along the north side property line. Additional work included realigning the Meding Street curve between 56<sup>th</sup> and 58<sup>th</sup> Street, included a landscaped buffer between the roadway and businesses along the east side of the roadway and reconstruction of the intersection at Montgomery Street and Meding Street. The work consisted of clearing, earthwork, erosion control, storm drainage, pavement and sidewalks. This contract modification adjusts the final contract amount for the Phase II project based on the final installed quantities. A final inspection has been performed and only a minor punch list remains. The contractor has completed construction of both Phase I and Phase II projects. A 675 day extension is requested because the project was delayed for multiple relocations of overhead utilities in the area. This project was a Georgia Department of Transportation (GDOT) state aid project that provided the City with a partial reimbursement of items totaling \$256,368.40 to date. The final cost of the Phase I project was \$564,618.73 which is \$50,113.27 below the original contract. The original contract amount for Phase II was \$358,201.59 and with this Contract Modification No.1 of \$61,355.21, the total contract is \$984,175.53. The second low bidder was Collins Construction Services, Inc. in the amount of \$1,177,069.00 for Phases I and II. Funds are available in the 2013 Budget Capital Improvement Projects/Other Costs/Feiler Park Phase I and II (Account No.311-9207-52842-PD0801). Alderman Shabazz stated that the widening of 57<sup>th</sup> Street from Meding Street to the Montgomery Landing is a good improvement and they are glad to see that the contractor has completed construction. Upon motion of Alderman Shabazz, seconded by Alderman Hall and carried the contract modification was approved.

**Old Savannah Pharmacy Design Services (PD0601) – Bid No. 11.209.** Approval to end the contract with Wubben Architects and Designers for Design Services for the Old Savannah Pharmacy. The original contract was for design and construction services for the rehabilitation of the Old Savannah Pharmacy building at 916 Martin Luther King Jr. Boulevard. The site was purchased in August, 2009 for the purpose of further investing in the targeted commercial corridor by rehabilitating and returning the building to a contributing use, as well as relocating the City's Economic Development Department to the corridor. A consultant agreement was executed to provide consulting services for this project, including preliminary documents, pre-final documents, final design, bidding, construction overview, and electronic files of documents. The total fee, including two change orders, was approved for \$60,200. The scope of design work includes preparing construction documents for the renovation of the existing building interior to serve as offices, a conference area, and a commercial tenant space (the original pharmacy space), site improvements, and accessibility modifications (e.g., elevator, restrooms).

Because of structural deficiencies recently identified in the existing building, the scope of the project has expanded significantly. Before the project can proceed to construction, a major structural redesign of the entire building is required. The additional design work is outside the scope of the existing Consultant Agreement and additional specialized expertise will be required. City staff met with the consultant and both agree the Consultant Agreement should be ended due to the significant change in the scope of design services required. The portions of the Consultant Agreement that will be eliminated are Bidding/Abstract/Addenda and Construction Overview yielding a contract reduction of \$21,100. Funds will be credited to the 2013 Budget, Capital Improvement Projects/Other Costs/Old Savannah Pharmacy (Account No. 311-9207-52842-PD0601). Recommend approval.

Alderman Shabazz asked that the contract be approved based on what staff and the City Manager recommended so the project can move forward. Alderman Thomas stated that he is not against approval of this, but wanted to know if a structural analysis was done when the property was purchased that would have discovered this. The City Manager stated that a visual structural assessment was done when the property was initially purchased. Alderman Thomas asked if this was discovered at that time and Ms. Cutter stated it was not. He then asked if it was typical for Council to purchase property in the name of the City and only do a very general overview instead of an in-depth analysis. Ms. Cutter responded that may have been the practice in the past, but Council has directed staff that henceforth comprehensive assessments will be conducted prior to acquiring property. Alderman Thomas stated he brought this up because this is a historically significant piece of property and the City has an obligation to do this now, but in the future, Council should not be in this position as he is aware that this is not the only project where this has occurred. He feels very strongly that due diligence should always occur when spending seven-figure amounts to buy these properties for whatever purpose they may serve.

Mayor Jackson stated this became apparent when the other structure attached to the building was torn down. Alderman Johnson wanted to clarify that although this is under Bids, Contracts and Agreements, Council is not expending any money, this item is actually to eliminate an existing contract and funds will be credited back to the City. Alderman Thomas stated they don't need to mislead the public, that this will be additional money. As they were advised during their work shop, this project will still be around a half a million dollars which is significant. Alderman Johnson said he absolutely agrees with him and he feels assured due diligence will be done in the future. Alderman Bordeaux asked for clarification on what happened and Ms. Cutter said the bulldozer hit the building and it exposed that the concrete blocks were not reinforced with steel as needed to support an upper floor of that building. Alderman Bordeaux said he also recalls a City Manager's memorandum stating the codes that were in effect when the building was constructed required a higher standard and it was just not built to the code required at that time. Is this why there was this inadequacy? Ms. Cutter said she could not answer that question. The assumption then was that it was built to code, but the construction drawings for the site were never found so they could not confirm the code issue. Alderman Bordeaux then stated that they were surprised to find it had this flaw and had been assuming it didn't have the deficiency. He has asked and not sure if anyone else has joined him, but before they decide to spend any more money on it to possibly have it presented at a work shop to find out what the cost will actually be, the building's significance to the community and the needed revitalization of MLK. Alderman Shabazz thanked the staff and the City Manager for the work that has been put into ensuring that the Old Savannah Pharmacy is being preserved since the City goes to great lengths and depths to maintain their historical buildings. She

is very grateful as the history of this building is very important and will continue for many generations. She agrees the cost for this structure should be as minimal as possible. Upon motion of Alderman Shabazz, seconded by Alderman Bell, the City Manager's recommendation was unanimously approved.

**Gwinnett, Culver and Wheaton Streets Storm Drainage Improvements Project (DR0215) – Contract Modification No. 3 – Event No. 349.** Approval of Contract Modification No. 3 to Southern Champion Construction in the amount of \$33,500.00 and 31.5 additional days in contract time. The original project was for storm drainage conveyance system improvements designed to prevent structural flooding in the vicinity of the E. Gwinnett and Culver Streets intersection for up to the 100 year - 24 hour storm event. Construction is currently underway and is planned to be completed within the next 6-8 weeks. This contract modification includes additional work to provide additional street milling and paving outside of the original project contract. This milling and paving is the result of additional sewer and water line replacements added to the project and squaring up paving extents. The contractor has agreed to perform the additional work at rates lower than originally contracted. This modification also includes 14 days for additional milling and paving and 17.5 days time extension due to several unforeseen items encountered during construction. The original contract amount was \$866,569.00. The second low bid (Savannah River Utilities) amount was \$1,017,270.00. The total of all contract modifications to date including this modification is \$148,704.00 making the total contract total price \$1,015,273.00. Funds are available in the 2013 Budget, Capitol Improvements Fund/Capital Improvements Projects/Other Costs/Bilbo-North Casey Drainage (Account No. (311-9207-52842-DR0215)). Alderman Osborne said the residents of this neighborhood are very excited about this project. This bidding contract is to make improvements in paving and milling in the street, and there is money in the budget to cover it. Upon motion of Alderman Osborne, seconded by Alderman Shabazz the City Manager's recommendation was unanimously approved.

**Employee Benefits Consultant Services – Annual Contract Renewal – Event No. 292.** Renewing an annual contract to procure employee benefits consulting services from Wells Fargo Insurance Services in the amount of \$250,000.00. The services are needed to perform a full range of consulting services related to the design, implementation, maintenance, communication, and improvement of the City of Savannah benefit programs. Benefits include the health plan, life insurance, disability insurance, dental insurance, and pharmacy plan. This is the last renewal option available. The request for proposal was originally received May, 2008. Delivery: As Requested. Terms: Net 30 Days. Fee proposals varied in accordance with staff time and services proposed by the consultant. This contract is primarily funded from commissions earned by each insurance carrier on a quarterly basis. Any shortfall, up to the annual contract amount, will be covered by the 2013 Budget, Risk Management Fund/Medical Insurance/Administrative Charges (Account No. 621-9805-52239). In 2012, payments totaled \$11,861.00, net of commissions earned. Alderman Johnson stated this was an editorial comment he had previously communicated that might have been overlooked in this new consulting arrangement. He wanted to make sure that there is some value to have local folks able to maintain relationships with City staff. Upon motion of Alderman Johnson, seconded by Alderman Shabazz and carried the contract was unanimously approved.

**Upon motion of Alderman Thomas, seconded by Alderman Osborne and unanimously carried Shabazz, the following bids, contracts and agreements were approved:**

**Pre-Employment Psychological Assessment – Event No. 1165.** Awarding an annual contract to procure pre-employment psychological assessments from Stone, McElroy and Associates in the amount of \$45,000.00. The services are needed to screen law enforcement applicants and will be used by Savannah-Chatham Metropolitan Police Department and Human Resources. While over 80 proposers were solicited, only one proposer chose to respond. The request for proposal was advertised, opened and reviewed. Funds are available in the 2013 Budget, Professional Standards and Training/ Professional Purchased Services (Account No. 101-4262-51238). Alderman Bordeaux expressed a concern that 80 requests for proposals were sent out by the City and we only received one. He would like to contact them to inquire as to their reason for not bidding on this item. Alderman Johnson said sometimes because the volume is small they do not bid. Alderman Thomas said he does business with cities around the state and the perception is it is very difficult to do business with a municipality. It takes a long time to prepare to bid package and when the bidder is unsuccessful, they feel their time has been wasted. We need to change this process. Alderman Bordeaux said we see hundreds of contracts where people are bidding and competing for numerous contracts each week. We are not that hard to do business with and yes we always can do better, but he feels 80 requests and only one comes back, usually means something else is going on. Alderman Bell asked how many are there in this area that provides this service. Ms. Kerkorff said they just sent out to those listed under a commodity code and there are many odd ones on the list that do not provide this service. The notification only goes to those who register on our website. It is advertised with the Savannah Morning News and the Herald. Other companies nationwide have access to the bids. Mayor Jackson recommended a survey can be sent to several of those who did not bid to get a summary of the reason for not bidding. Alderman Shabazz asked if the Savannah Tribute could be added to the distribution list. Ms. Kerkorff said she will check to see if this can be done.

**Construction Testing Services – Annual Contract – Event No. 1243.** Awarding an annual contract to procure construction testing services for Soil Testing (Section 1), Pavement Testing (Section 2), Structural Concrete Testing (Section 3) and Special Inspections (Section 7) to Building and Earth Sciences, Inc. in the amount of \$177,587 and Industrial Hygiene (Section 4), Environmental Testing (Section 5), and Geotechnical Testing (Section 6) to Terracon in the amount of \$12,396.75 for a contract total of \$189,983.75. The testing services will be used by various departments within the City to test soils, concrete, asphalt and other materials used in City construction projects. The low bid for each line item is being recommended for award. Bids were received March 26, 2013. This bid has been advertised, opened and reviewed. Delivery: As Requested. Terms: Net 30 Days. Funds are available in the 2013 Budget, Various Accounts. A Pre-Bid Conference was conducted and seven vendors attended.

**Gasoline and Diesel Fuel – Annual Contract – Event No. 1377.** Awarding an annual contract to procure transport truck loads of unleaded gasoline in the amount of \$2,846,198.32 and diesel fuel in the amount of \$2,005,445.07 from Sommers Oil Company for a total amount of \$4,851,643.39; to procure tank wagon loads of unleaded gasoline in the amount of \$119,357.22 and diesel fuel in the amount of \$636,686.78 from Barrett Oil Distributors for a total amount of \$756,044.00. (Transport truck loads are 7500 gallons and tank wagon loads are 1000 gallons or less.) The total contract for all diesel fuel and unleaded gasoline is \$5,607,687.39. Barrett Oil's original bid was \$120,362.83 for unleaded and \$641,332.69 for diesel fuel. Under the local preference ordinance, Barrett has

agreed to match the non-local low bid for tank wagon diesel fuel and unleaded gasoline. The fuel will be used by various City departments. This is a cooperative bid which was solicited by Chatham County. Gasoline and diesel fuel prices are based upon the OPIS (Oil Price Information Service) weekly index and vary each week. Prices per gallon shown below are based on the OPIS price from the week of April 11, 2013 and include the bidder's overhead mark-up but no taxes. Bids were received February 6, 2013. This bid has been advertised, opened and reviewed. Delivery: As Required. Terms: Net-30 Days. Funds are available in the 2013 Budget, Internal Service Fund/Inventory-Gasoline/Diesel (Account No. 611-0000-11350 and 11340). A Pre-Bid Conference was conducted and four bidders attended.

**Temporary Clerical Labor – Annual Contract Renewal – Event No. 1381.** Renewing an annual contract to procure temporary clerical labor personnel services from Ambassador Staffing in the amount of \$289,271.04. The temporary clerical labor will be used by various City departments and bureaus to fill clerical positions on an as needed basis. This is the second of four available renewal options available. Bids were originally received November 23, 2010. Funds are available in the 2013 Budget, Various Departments/Temporary Labor (Account No. Various Departments-51256).

**Dell Equallogic APOS Renewal – Sole Source – Event No. 1395.** Approval to procure maintenance and support for the storage area network (SAN) from Technology Integration Group (TIG) in the amount of \$53,205.00. The SAN is where all electronic data collected in the City's various Information Technology systems is stored. The sole source is required because maintenance and support is only available from the original provider of the system. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2013 Budget, Information Technology/Data Processing Equipment Maintenance (Account No. 611-1140-51251)

**Promotional Testing and Assessments – Annual Contract Renewal – Event No. 1340.** Renewing an annual contract to procure promotional testing and assessment services from Industrial Organizational Solutions in the amount of \$61,360.00. The services will be used by the Savannah-Chatham Metropolitan Police Department to provide testing and assessment for the promotion process for police sergeant, police lieutenant and police captain. The contractor will conduct a job analysis for each position, write the promotional exam and assist in the administration of the exam in conjunction with Human Resources. This is the fourth of five renewal options available. The proposals were originally received in January, 2010. Delivery: As Needed. Terms: Net 30 Days. Funds are available in the 2013 Budget, Professional Standards and Training, Professional Purchased Services (Account No. 101-4262-51238).

**Lot Clearing Pre-Qualification – Annual Contract - Event No. 932.** Awarding an annual contract for lot clearing services to Moss Chemical & Landscape, Smart Landscaping, LLC, Complete Lawn Care, Devillars Lawn Care, Pough's Landscape and Seascape Excavation for an estimated total amount of \$103,000.00. The contract will be used by Property Maintenance to clear overgrown and debris strewn lots throughout the City. The contractors were selected through a pre-qualification process that evaluated qualifications, experience, and ownership of required equipment and provision of a current insurance certificate. Groups of lots are assigned to each pre-qualified contractor on a rotating basis. The City sets base rates the contractors may charge based upon square footage of the lots and the amount of debris that each lot contains. Qualification statements were received March 5, 2013. Funds are available in the 2013 Budget, General Fund/Property



Maintenance/Other Contractual Services (Account No. 511-7110-51295). A Pre-Bid Conference was conducted and six vendors attended.

**Well Maintenance – Annual Contract – Event No. 1397.** Renewing an annual contract for well maintenance services to Rowe Drilling in the amount of \$69,681.00. The services will be used by Water Supply and Treatment to repair and maintain potable wells throughout the water system. Although no renewal options are available, this contract renewal is requested for six months to ensure continued coverage during hurricane season. The current contractor has agreed to provide services under the expiring contract terms and conditions. A new bid will be issued in the fall of 2013. Funds are available in the 2013 Budget, Capital Improvements/Other Costs/Well Preventative Maintenance (Account No. 311-9207-52842-WT0623).

**Pump Station Electrical Parts – Event No. 1256.** Approval to procure electrical parts for pump stations from Graybar Electric in the amount of \$50,882.95. The electrical parts will be utilized by the Conveyance and Distribution Department for upgrading the electrical systems and controls of lift stations throughout the city. This proposal has been opened and reviewed. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2013 Budget, Capital Improvements Projects/Other Costs/Lift Station Rehabilitation (Account No. 311-9207-52842-SW0520).

**Video Conferencing System – Sole Source – Event No. 1406.** Approval to procure video conferencing equipment from Summit Systems, Inc. in the amount of \$30,411.06. The equipment will be used in the Command Center of the Critical Workforce Shelter (CWS) to provide inter-building notification communications to employees housed at the CWS during an emergency event. It will also allow access to the CEMA website during emergency events for management coordination. The contractor provided the equipment for the Emergency Command and Control Center located in the Civic Center, and it is critical to have equipment that is compatible in the event of an emergency. This vendor has maintained or reduced pricing from the Civic Center Command Center installation as well. Delivery: 30 Days. Terms: Net 30 Days. Funds are available in the 2013 Budget, Capital Improvements Projects/Other Costs/Critical Workforce Shelter (Account No. 311-9207-52842-WT0228).

**The following announcements were made:**

Assistant City Attorney Shearouse announced Attorney Stillwell is out of the city attending his son's wedding.

Alderman Hall sent well wishes to all students in Savannah Chatham Public School System taking the Criterion-Referenced Competency Test (CRCT).

Alderman Sprague announced Federal Energy Regulation Commission sent out a notice there will be a meeting on Thursday, May 9, 2013 at 7:00 p.m. at The Metropolitan Planning Commission about the shipment of LNG through the City and she hopes staff attends. The Mayor stated she is happy Alderman Sprague made the announcement and she hopes Council members will get involved because it makes a difference.

Alderman Shabazz commended Alderman Thomas for a job well done on the Georgia Municipal Association District 12 level listening session for legislators. The meeting was held in Pembroke, GA.

Mayor Jackson stated she and Alderman Sprague participated in the Hop Scotch contest at Jacob G. Smith School. She also stated we've not heard back as to whether the Masters Legends of Golf will return to the City of Savannah next year.

There being no further business, Mayor Jackson declared this meeting of Council adjourned.



Dyanne C. Reese  
Clerk of Council